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PATENT
Customer No. 22,852
Attorney Docket No. 06530.0307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Adam L. COHEN et al.) Group Art Unit: 3736
)
Serial No.: 10/658,261) Examiner: NAQI, SHARICK
)
Filed: September 10, 2003)
)
For: A FORCEPS AND COLLECTION)
ASSEMBLY WITH)
ACCOMPANYING MECHANISMS) Confirmation No.: 4026
AND RELATED METHODS OF)
USE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In an Office Action mailed March 13, 2007, the Examiner required election under 35 U.S.C. § 121 of one of the following allegedly distinct inventions:

- I. Claims 1-27, allegedly drawn to a device for collected and storing a plurality of tissue samples;
- II. Claims 28-33, allegedly drawn to an endoscopic working channel cap assembly;
- III. Claims 34-45, allegedly drawn to a flushing device;
- IV. Claims 46-61, allegedly drawn to an endoscopic instrument for collecting tissue samples;

V. Claims 62-72, allegedly drawn to a method of acquiring a plurality of tissue samples; and

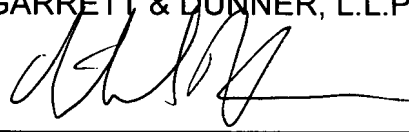
VI. Claims 73-77, allegedly drawn to a method of removing tissue samples from a container.

Without necessarily agreeing with any of the characterizations or assertions of the application or claims set forth in the Office Action, Applicants provisionally elect to prosecute Group I, claims 1-27, without traverse.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



Dated: April 9, 2007

By: _____
Michael W. Kim
Reg. No. 51,880